

RESTORE Act Advisory Board

**Administration Conference Room
18500 Murdock Circle, 5th Floor
Port Charlotte, FL 33984**

January 28, 2015

Attendees:

Dr. Lisa Beever	+
Peter Guptil	+
Michael Haymans	+
Thomas Hecker	+ (arrived after roll call)
Ed Hill	+ (arrived after roll call)
Howard Kunik	X (excused)
Julie Mathis	+
Annette Nielsen	+
W. Kevin Russell	+
Kelly Shoemaker	+
Elizabeth Staugler	+
Caitlin Weber	+
Mindy Collier – staff	+
Ray Sandrock	X
Janette Knowlton	X
Gayle Moore, Charlotte County, Recording Secretary	+
Scott Andrichack	+

Ms. Weber called the meeting to order at 12:58 pm; Board members introduced themselves. The minutes of January 21st were approved (pending correction of Mr. Russell's name) by unanimous vote, on the request of Chair.

Review of revised submittal criteria

Ms. Weber asked for comments on the new criteria draft; Ms. Staugler commented on her experience trying to rank the sample project using the existing versions of the application and criteria forms. She said she felt the group had put the cart before the horse, in the sense that it was hard to pigeonhole the application into the criteria ranking.

Ms. Weber also commented regarding the top section of the form which references Estimated Project Cost as well as Total Project Cost; she said it wasn't clear on the Evaluation Form where to put information about the amount being requested from RESTORE and recommended that Estimated Project Cost be changed to RESTORE Request Amount, so that is readily visible right at the beginning. She also mentioned, under Pre-Screening, items 3 and 4, and asked if the

intention was to rule out projects that didn't have those components? If not, then 3 and 4 should be removed from Pre-Screening. Ms. Staugler said she thought that had been agreed to previously. Ms. Weber's next suggestion was to add to Pre-Screening questions "Was the project included in a claim for compensation" because that would remove it from consideration. And, finally, in section 3, g and h should be changed to d and e. Ms. Weber asked for other suggestions.

Ms. Staugler referenced the Pre-Screening section and the Tiger Tail sample project; she felt there was a mismatch in language because the sample project referred to 'ongoing programs' whereas the application refers to future and current projects. Then in the "Allowable Uses" section, she felt she was ranking the project eligibility, the needs, benefits, etc., from the application as well, because there was no other place to rank it. And then when she got to County goals, she questioned what she was ranking there; she noted that the form gives quality points for these, and asked what is being evaluated, noting that both Allowable Uses and County Goals seem to be essentially yes/no questions, not ranking questions. Additionally, there seems to be some redundancy between the Allowable Uses section and the County Goals.

Mr. Haymans commented that his recollection on the discussion was that Pre-Screening questions were yes / no, then under the Allowable Uses elaboration takes place on how many Uses are being met, arriving at a number somewhere between 0 and 40. Then under Alignment with County Goals, consideration becomes specific to our County and the recommendations to our Commission weighed against their concept of what things it is important for projects to meet. He noted that this is where the subjectivity comes in, results will be different from one scorer to another. He said he doesn't see this section as redundant but more where the subjective evaluating gets worked out. Ms. Nielsen said she agreed, and gave some details about how she had rated the county goals being met, and she also mentioned the wheelchair access, something which is often overlooked; the RESTORE Act rewards "public access" but there are apparently no points being awarded specifically for handicap access.

Ms. Weber commented on what she saw as the Pre-Screening purpose which serves a gate-keeping function; she also expressed some concern with having a blanket number of points for the broad categories, thinking it should be more objective in order to end up with more meaningful final scores. Mr. Haymans agree but said that he wished Mr. Kunik could be present, as he was the strongest advocate for eliminating the internal scoring; Mr. Russell agreed. Mr. Haymans called for group consensus on those characteristics that are to be awarded points. Mr. Guptil agreed he had been part of the consensus to eliminate the internal scoring, and commented on what his thinking had been, especially in terms of worthy projects being eliminated because of low internal scoring numbers. He said he had no problem with assigning value in the sample project, even though it didn't hit every single allowable use; in short, he was against bringing back the internal scoring.

Ms. Nielsen commented further on assigning points, saying that the biggest difference she saw was in the Quality of Proposal section, as well as in the County Goals section. As an example, she noted the sample proposal was incomplete, there was no timeline given for the project which would be essential or the question of being able to meet realistic deadlines becomes meaningless. She gave other examples where the sample project fell short in this regard.

Mr. Hill commented that, in the absence of having more direction regarding the points, he could see the points being all over the place; there may be circumstances where all the possible

points in a category are awarded because the person scoring simply likes the project, and there would be no consistency from person to person. Ms. Weber said that echoed her concerns also: How can wildly differing scores be reconciled? Ms. Staugler suggested that if everyone is evaluating consistently, no matter what ranking system is being used, there won't be a need to reconcile that. Dr. Beever commented that it's more important that each individual rank each proposal fairly and consistently internally; if someone awards the full point value at every option, that just undermines that person's voice. Internal consistency is the key here; the point of the committee structure is to have all perspectives represented.

Ms. Mathis commented further about the Pre-Screening section, where she felt it would be good to take out County Projects since the application specifies "local, countywide, regional, Gulf-wide"; Mr. Guptil responded that he thought the "added benefit" question in Pre-Screening was a yes/no question that would eliminate a proposal.

Dr. Beever proposed a Motion: To drop items 3 and 4 under Pre-Screening, and add a new 3: "Was the project included for a claim compensation?"; Mr. Guptil seconded the motion, which passed unanimously.

Ms. Staugler then commented on the Quality of Project section in the application, pointing out there were things requested in the application which are not being considered in the criteria; for example, on page 8, some of the feasibility considerations, such as personnel, cost-effectiveness, etc. She said she felt that if details were important enough to be on the application, they should be part of the ranking consideration. As for item 3.a, Proposal is complete, she asked whether this should be a pre-screening Y/N question; Mr. Haymans responded that a rejection based on that item should not be a final rejection but the applicant should be able to resubmit after completion. Ms. Weber agreed it should be in Pre-Screening.

Ms. Weber made the Motion: To move "Proposal is Complete" into the Pre-Screening section; Mr. Russell asked to have clarified what constituted "complete" and some discussion ensued on that point, including the note that it would be different than other Pre-Screening items, failure to meet which would kick an application out completely.

Mr. Haymans made an amended Motion: Add another item, #4, Is the application complete? With the parenthetical note ("If no, then return to application with request for further information.") Ms. Weber seconded the motion, which passed unanimously.

Dr. Beever then moved to the subject of deadlines and timeframes, criteria which is in the evaluation, but apparently not in the application. Ms. Nielsen said that item is in the application; Ms. Staugler noted there is a Project Timeline section on page 5, and also in the narrative section 2, on project feasibility. Ms. Staugler added that this is a good example why this material should be brought over to evaluation criteria, to be sure all these details are being included; Ms. Weber suggested those could be tied into the same item because they are related, and Ms. Staugler agreed.

Ms. Staugler next commented on the budget noting that in the practice project, there wasn't a detailed budget which makes it hard to evaluate properly. Ms. Weber raised an additional issue related to budget information, asking about editing the project cost box section at the top of the evaluation form to say "RESTORE request" A motion was then made by Dr. Beever, seconded by Ms. Staugler, and passed unanimously, to make the suggested change.

Mr. Guptil turned to item 4, "Does the project have added benefits when combined with other projects" asking how the group members would know; what other projects does the evaluation form contemplate? Ms. Weber responded that, in the application, applicants are asked this question and expected to describe any combination benefits; some discussion on this topic ensued.

Dr. Beever made a Motion: That the language in the application and evaluation forms be changed to refer to "projects" or "programs". Mr. Haymans initiated the discussion, seeking clarification that it doesn't have to be a project or program that is also funded by RESTORE, and that was confirmed; Mr. Haymans seconded the motion. Mr. Russell inquired what the difference was between "project" and "program"; Dr. Beever explained that a project is a physical project that is constructed, while a program is more along the lines of monitoring or educational activities. The motion was then approved unanimously.

Ms. Staugler indicated an item on p. 4 of the application which she sought clarification on; in the last block asking for a description of project scale; Ms. Weber responded that she thought it would refer to the size of the benefit, e.g., number of people reached or the area of the project.

Mr. Hill said that, if he was an applicant, he would wonder also; Ms. Weber asked if there were any suggestions for rewording the item, and some, such as specifying geographic or economic or social impact, were proposed. Ms. Mathis pointed out that the whole page is about benefits, and asked if it could be posed as a requirement to discuss project benefits and this was then proposed as a Motion: To change application language to "Provide a brief description of project benefit".

Mr. Haymans commented that scale is generally a known indicator e.g., Developments of Regional Impact, which is how he understood the use of the term 'scale'. Dr. Beever also commented on the phrase of "Range of benefits" and concluded that she was also still more comfortable with 'scale'. Further discussion ensued on the language change options vs. the option of moving that box up under the heading of Range of Benefits; after some discussion, Ms. Mathis withdrew her motion to change the word 'scale'.

Dr. Beever proposed a Motion: To move the 3rd box on p 4 to the second position; Ms. Staugler seconded this motion, which then passed unanimously.

Ms. Mathis then asked the group to return to Ms. Staugler's question on how we'll actually score the project narrative part, if it is going to be scored. Dr. Beever indicated that as it is, the scoring under Quality of Proposal is thin; she suggested adding a line for Scope of Work, Project Feasibility, Best Available Science and Supporting Technical Information – taking these four points from the narrative and adding them to the evaluation criteria, under 3, as new points a, b, c, and d; responsive to a request from Ms. Mathis, she offered this detail: a, b, c, d would become: Scope of Work, Project Feasibility, Best Available Science and Supporting Technical Information. Ms. Mathis asked if the intent was to take out achievable permitting; Ms. Staugler confirmed, because it's included elsewhere. Dr. Beever offered the alternative that it could be added to the narrative, in the bullet points under 2.

Further discussion ensued on the improvements to be had in evaluations by having these items added to the form, but Mr. Haymans asked about leaving in achievable permitting, ability to meet project goals and realistic deadlines in addition to scope of work and project feasibility; Ms. Staugler suggested that permitting needed to be in there, because there is a page in the

application dedicated to permitting issues, but she thought the others are already included under feasibility. Mr. Hill pointed out that achievable permitting would be a difficult thing for some on the Board to evaluate without specific experience; extremes might be obvious, but otherwise not. Mr. Haymans suggested that the group would rely on the applicants to explain why and how their proposal is achievable. Discussion on these points continued.

Dr. Beever made a Motion: To replace the original items a-h under Quality of Proposal with new items 1-4 from the project narrative (Scope of Work, Project Feasibility, Best Available Science and Supporting Technical information), and then in number 2 under project narrative, add a bullet "Achievable Permitting" for the applicant to discuss how/why it is achievable. Ms. Staugler seconded; Mr. Guptil, Ms. Mathis and Mr. Russell all had clarifying questions, including the status of Achievable Permitting (which will become a bullet under number 2 in the application's project narrative) and Realistic Deadlines (coming out, but Project Timeline remains in the narrative). Mr. Haymans indicated he was opposed; he stated that while he has no issues with Scope of Work or Project Feasibility, but would like the evaluator to be reminded what the 'touchstones' for Project Feasibility are. Discussion on this objection ensued. Mr. Russell indicated that he supported adding material, but not removing material; he agreed with Mr. Haymans. Ms. Staugler suggested they could be written up like the County goals above it.

After ample discussion, Dr. Beever indicated that she accepted the suggestion to write up this section in a format similar to that used for County Goals, providing the detail for what each Quality of Proposal covered. Ms. Mathis then amended her second to the friendly amendment, and the motion passed unanimously.

Dr. Beever offered another Motion: That under both Evaluation categories 2 and 3, the subheads get labeled a, b, c, d, similar to the formatting in Category 1 Allowable Uses. Ms. Mathis seconded and the motion passed unanimously.

Ms. Staugler made another Motion: In section 3, to add another subhead item "e" to be "Budget: realistic and commensurate with project timelines. Dr. Beever seconded and the motion passed unanimously.

Clarification was sought by the recordist on which forms are being changed; members confirmed that most changes had been made to the evaluation form, but two changes were made to the application form: moving the box and add achievable permitting under Project Feasibility on page 8 where it would become another bullet under 2.

Ms. Weber posed a question regarding the Quality of Proposal category, e.g., whether it was to be a flat score for the category; Dr. Beever clarified it was to be a flat score.

Ms. Weber solicited further comments on the flat 40 and flat 30 points for the remaining categories. Mr. Russell indicated he didn't like it, suggesting that with the "broad brush" approach it is too easy to overlook points which are, in fact, criteria; he acknowledged he was in the minority in that regard. Ms. Weber suggested the group have a consensus-building discussion.

Ms. Nielsen commented that she would agree, noting that when she did the exercise, she was mentally breaking down the scoring; it is something each person could do on their own and described her process. She related this to last week's discussion of a scoring matrix to work with the complexity of many projects and scorers; discussion continued on the matrix option;

Mr. Haymans commented on what he felt was Mr. Kunik's point at last week's meeting, and the value of the freeform system, and said he felt Mr. Kunik should be here for any changes to be made. Mr. Guptil observed that the members were not required to all come up with the same number. As this discussion continued, Mr. Haymans suggested that the complete process might also include an interview with the applicants; averaging of the various scores was also discussed. Ms. Weber then called for any further comments on submittal criteria; none being offered, the group moved on to the next agenda item.

Scoring of example project

Mr. Haymans indicated he thought the idea was to score that sample proposal here during the meeting, and several other members agreed; Ms. Staugler said that her attempt to score it before the meeting is what led to many of the questions and suggestions she raised. Ms. Weber suggested the group go through the application now; the group then discussed their approaches and outcomes with respect to the practice project (2:03 to 2:33 p.m.)

Ms. Weber asked if there were any further comments on the example project and scoring; none were offered.

Review of Draft Press Release

Ms. Shoemaker recalled that, last week, two press releases were requested: The first, concerning the background material on RESTORE, is perhaps more appropriate for an article; some comments were offered on how this large amount of information could be used, reduced or otherwise adapted. Dr. Beever noted she is in the "don't give too much information" camp, while Ms. Nielsen suggested just providing an online link to the denser version of the information. Ms. Shoemaker responded that such information is currently on the web site. Mr. Haymans asked if it would be permissible for him to talk about this on the radio; the consensus was that would be fine.

Ms. Staugler questioned, on the news release, if there were any eligibility requirements or constraints that should be mentioned; after some discussion, it was recognized that citizenship would be important and felons would be barred. As to why citizenship would be required, it was noted that there are guidelines that come along with receiving federal money. Mr. Haymans commented that this isn't federal money, it's settlement money paid by a foreign corporation. Some discussion continued on this topic; Ms. Weber said she thought that the Pre-Screening criteria captured generally what is in the Treasury rules (e.g., can't be connected to a previous claim, etc.) Ms. Shoemaker suggested that the group also could look at the Treasury Department's information on this topic, and include their language, perhaps in a condensed version.

Ms. Mathis indicated that she approved the press release, and Mr. Hill agreed; Dr. Beever indicated she would like to see language about how much money is anticipated. The group considered phrases for expressing this aspect, noting that language which implies anything definite could be problematic. Ms. Weber inquired whether it would be reasonable to point people to online information on available funds; Ms. Shoemaker indicated she was not sure how often that online information is updated, and said she will look into that option.

Ms. Mathis indicated she would be absent next week, and she asked about the press release schedule; Ms. Shoemaker provided some background on recent Commission activity in this

regard; Commissioner Constance is the County's representative in this process, and he updated the Board regarding the consultant the state has hired to oversee the broader process.

Ms. Shoemaker noted that she would be using the stage of the next Commission meeting to bring them up to date on this Advisory Board's progress; she indicated she would like to bring the Commission the draft application and evaluation form on February 10th to make sure they understand the connection between this group's activity and Commissioner Constance's work, and then bring back the Commission's "OK" to go forward and publish the press release.

Ms. Mathis asked if this timeline would mean that the group won't meet again until the applications begin to come in, which Ms. Shoemaker confirmed. Further discussion ensued on how to handle the changes suggested during this meeting, with respect to the update of the forms. Ms. Shoemaker suggested that the changes, incorporated into the forms, could be distributed to the group via email, and people could comment back to her on an individual basis.

Dr. Beever made a Motion: There would be no meeting of the Advisory Board next week in favor of email distribution of the recommended changes instead; Mr. Haymans seconded the motion, which was approved unanimously.

The group next discussed a possible time line, if the Commission approves everything as it currently stands; these public documents would go out on Feb 14th, and then there would be 60 days until the next meeting, when there should be applications to discuss. Further discussion ensued about the nature of materials that could be used to publicize the RESTORE Act, and members indicated the options they would pursue in this regard, including outreach to the various area Chambers, articles, radio and TV opportunities, and the like.

With regard to the next meeting, it was agreed the group would most likely meet on the 11th regardless of how the presentation to the Commission goes; it could be a very brief meeting.

Ms. Staugler asked at what point does the group get the applications that come in and how will that process work – will group members be ranking these initially on their own time, and then holding a meeting to discuss their results? Ms. Mathis said she would prefer to get all submitted applications at once, review on our own time, then come back for discussion; Mr. Russell asked if members' initial evaluations could be amended after discussion; Mr. Hill agreed this would be good, and Mr. Russell elaborated, saying that the opportunity to revise seems to arise naturally out of discussion, otherwise the group could simply mail in their rankings. Ms. Weber expressed hesitation about changing rankings based on later discussions and Ms. Nielsen said she agreed, noting that member were selected because of our differences, not because we are trying to get identical scores. Further discussion ensued, with Ms. Shoemaker suggesting that member could receive the applications, come and talk them over and then score on their own time. Dr. Beever indicated she would rather score independently first, and member comment continued on the topic.

Dr. Beever asked whether the applicant would have a chance to come in for an interview and to give their "pitch" and Ms. Staugler noted that this is done for the MAC grant requests; Mr. Haymans felt it would depend on the amount of applicants.

Ms. Mathis raised the issue of whether any group members would be submitting applications and would that mean you had to recuse yourself from scoring in everything. Members felt the

question of voting was already covered in the rules; Ms. Mathis asked whether that applied to the discussion also; Mr. Russell felt there should be no participation in the discussion either.

There was a brief discussion on alternatives to accessing RESTORE Act funds, and the group concluded that anyone seeking these funds, including any County Department, should have to stick with the process and submit an application. Mr. Haymans asked about his advisory status with the Charlotte Harbor CRA (as opposed to being an actual CRA Board member), and whether an application from the CRA would require him to recuse himself from discussions; Ms. Shoemaker suggested he should err on the side of caution and recuse himself. She noted that "it goes a long way when you back away."

Dr. Beever asked what would be done if the group felt that all the submittals received are "dogs" – would there be another round of applications; some discussion ensued on this topic.

Ms. Mathis asked if there would be a cover letter with the application that sets forth the multi-year nature of this process, and members seemed to agree with would be helpful.

Ms. Weber recapped that the next meeting would be on Feb 11th and at that time, dates for the press release would be settled and there would be another review of the changes; Mr. Russell commented about items which were raised during this meeting but not settled, e.g., about voting and the like.

There being no further matters to come before the Board, the meeting was adjourned at 3:04 p.m.

Accepted on behalf of the RESTORE Act
Advisory Board

By: _____